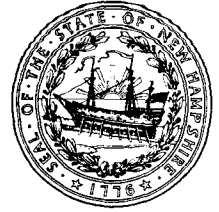




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 15, 2004

LETTER OF DEFICIENCY #WSEB 04-147
CERTIFIED MAIL #7000 0600 0023 9932 8386

Richard Green
Green and Company
11 Lafayette Road
North Hampton, NH 03862

Subject: Lee - Public Water System: Thurston Woods (EPA #1332050)

Dear Mr. Green:

The records of the Department of Environmental Services (DES) show that the Thurston Woods water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year.

SANITARY SURVEY

Pursuant to NH Admin. Rule Env-Ws 306, PWSs are subject to periodic inspections or sanitary surveys by DES staff. The purpose of the sanitary survey is to evaluate the adequacy of source(s), storage facilities, equipment, operation, and maintenance to produce and distribute safe drinking water. Pursuant to Env-Ws 360.10, a PWS owner is required to promptly repair and fully maintain the operational readiness of the water system.

On April 9, 2004, personnel from DES conducted a sanitary survey of the subject water system. The sanitary survey report, dated April 9, 2004, identified deficiencies found during the sanitary survey, requested that the deficiencies be promptly corrected, and requested that DES be notified when the corrections had been completed. DES has no record of the requested response to the sanitary survey report. As a result, a Sanitary Survey letter, dated May 4, 2004, was sent to you (copy enclosed). The letter requested that you notify DES, in writing, within 45 days of when the sanitary survey deficiencies have been corrected.

To date, DES has not received any correspondence indicating that the sanitary survey deficiencies have been corrected, thus placing the water system in violation of Env-Ws 360.10 and the specific citation noted below.

Sanitary Seal: Env. Ws 306.01(d)(1)h.

The overflow pipe located on bedrock well #2 needs to be turned downward and covered by a secure screen.

Pumps And Auxiliary Equipment: Env-Ws 372.22(e) and (f)(1)

The water supply system shall be capable of receiving an immediate connection of a chemical feed pump for metered application of a disinfectant. An injection tap shall be installed on the source waterline prior to the first on-line storage tank.

DES believes the sanitary deficiency issues can be resolved by following one of the two options below:

A. If the sanitary survey deficiencies have not been corrected:

1. **By October 15, 2004**, correct the deficiencies described above; and
2. **By October 22, 2004**, provide DES with documentation that the sanitary survey deficiencies have been corrected.

B. If the sanitary survey deficiencies have already been corrected:

3. **By September 24, 2004**, provide DES with documentation that the sanitary survey deficiencies have been corrected.

CERTIFIED OPERATOR

Pursuant to RSA 332-E and NH Administrative Rule Env-Ws 367, the water system is required to have a certified operator to operate and maintain the water system to protect public health. DES records show that the subject water system failed to obtain a certified operator and as a result an "Important Reminder" letter was issued on June 25, 2004, a copy of which is enclosed.

To date, DES has not received any correspondence indicating that the Thurston Woods water system has a certified operator (Distribution Grade 1A) as required. If our records are in error and you presently have a certified operator, please notify this office in writing by **September 24, 2004**.

If you do not have a certified operator, DES believes the violation can be corrected by taking the following action:

4. **By October 5, 2004**, obtain a certified Distribution Grade 1A operator to operate and maintain the water system and notify DES in writing of the name and license number of the operator.

Please contact Harrison "Chip" Mackey at (603) 271-2410 or by email at hmackey@des.state.nh.us, if you have any questions regarding the requirements of a certified operator. A listing of firms offering operational services for small water system is available at <http://www.des.state.nh.us/factsheets/ws/ws-7-2.htm>.

EMERGENCY PLAN

Pursuant to Env-Ws 360.14, the water system owner is required to submit an Emergency Plan to DES. Notice was given to the subject water system in the Sanitary Survey Deficiency Report dated April 9, 2004, and Sanitary Survey letter dated May 4, 2004, copies of which are enclosed.

To date, the system has not submitted an Emergency Plan to DES, thus placing the system in violation of Env-Ws 360.14.

DES believes the Emergency Plan violation can be corrected by taking the following action:

5. By **December 31, 2004**, submit to DES an Emergency Plan that meets the requirements of Env-Ws 360.14.

Guidance documents and instructions, along with information for free, on-site assistance are available at <http://www.des.state.nh.us/wseb/EmergencyPlanning/index.asp>. Please contact Sarah Pillsbury at (603) 271-1168 or by email at spillsbury@des.state.nh.us, if you have any questions regarding the preparation and submission of the Emergency Plan.

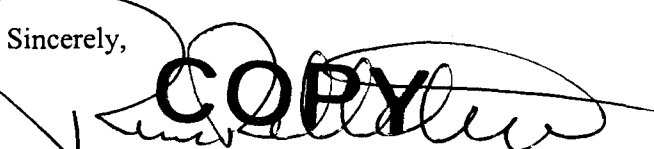
In the event compliance is not achieved within these time periods, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All the above requested information should be addressed as follows:

Anne S. Bailey
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact Anne Bailey by phone at (603) 271-0672, or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,


Rene Pelletier, P.G., Manager
Land Resource Programs

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Enclosures: Certified Operator Letter dated June 25, 2004
Sanitary Survey Report dated April 9, 2004
Sanitary Survey Letter dated May 4, 2004
Master Sampling Schedule

cc: Gretchen R. Hamel, DES Legal Unit Administrator
Mary Clairmont, DES/WSEB (via e-mail)
Harrison "Chip" Mackey, DES/WSEB (via e-mail)
Sarah Pillsbury, DES/WSEB (via e-mail)
Town of Lee Health Officer
EPA Region 1